

8/23/04

FW



Docket No.: HUBR-1260
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hofgen et al.

Application No.: 10/824,342

Confirmation No.: 5382

Filed: April 14, 2004

Art Unit: To be assigned

For: **5-HYDROXYINDOLES WITH N-OXIDE
GROUPS AND THE USE THEREOF AS
THERAPEUTIC AGENTS**

Examiner: To be assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Dear Sir:

In accordance with 37 CFR 1.97, Applicants hereby make of record the following documents. A PTO Form PTO/SB/08A and a full copy of the documents accompany this statement.

Applicants have become aware of the following documents, cited in an International Search Report issued July 28, 2004, during the prosecution of the International Patent Application No. PCT/EP2004/004340, which corresponds to the above referenced application, and in accordance with 37 CFR 1.97 (e)(1), hereby submit these documents for the Examiner's consideration. These documents are cited on the enclosed PTO Form PTO/SB/08A, and a copy of the International Search Report and the referenced document are enclosed as well.

This statement is not to be interpreted as a representation that the cited documents are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any document herein be construed *per se* as a representation that such document is prior art. Moreover, Applicants understand the Examiner will make an independent evaluation of the cited documents.

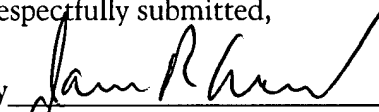
The undersigned hereby certifies that each item contained in this Supplemental Information Disclosure Statement was cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

The Commissioner is hereby authorized to charge any deficiency fees if any fees should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0624, under Order No. HUBR-1260.

Dated: August 20, 2004

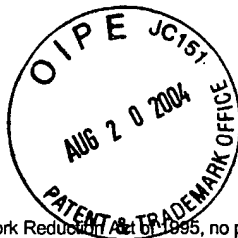
Respectfully submitted,

By


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PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U. S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known		
			Application Number	10/824,342	
			Filing Date	April 14, 2004	
			First Named Inventor	Norbert Hofgen	
			Art Unit	<i>To be assigned</i>	
			Examiner Name	<i>To be assigned</i>	
Sheet	1	of		Attorney Docket Number	HUBR-1260

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA	DE 198 14 838 A1	10-14-1999	ASTA MEDICA AG		
	BB	DE 198 18 964 A1	11-04-1999	Arzneimittelwerk Dresden GmbH		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See attached Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	HULME, et al., "Orally Active Indole N-Oxide PDE4 Inhibitors, <i>Bioorganic & Medicinal Chemistry Letters</i> 8 (1998) 3053-3058, Elsevier Science Ltd.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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